

Refuting Extremism

Study Notes (no2)
Abu Saifillah 'Abdul Qadir

Note: The revision notes below should not be solely relied upon. They are to be utilised along with their corresponding explanations delivered during the lessons.

CHAPTER TWO

The issue of *takfeer* **cannot be correctly understood** except by first thoroughly comprehending all the principles of the *Shari'ah* that are involved. So we will lay down for the noble reader a set of principles which are within our ability.

When we say that a Muslim is a *Kaafir*, or disbeliever what we have essentially done is removed *Imaan* (faith) from him, saying that he no longer believes in the six pillars of *Imaan*. Saying that he does not believe in Allaah, the Angels, the Books, the Messengers, life after death, and predestination is not something easy or trivial. Rather it is something extremely dangerous if we are wrong in our accusation (see principle 2 below). So in order for us to take someone out of the realms of *Imaan* we have to know what *Imaan* is and what its constituents are.

So in the course of these lessons we will explain *Imaan* as understood correctly, by *Ahlus-sunnah wal-jama'ah*, and then explain the deviated explanations of it.

PRINCIPLE ONE

This principle is to stand out for justice and not allowing one's **emotions, desires, hatred, and ignorance** dictate the position one is going to hold regarding the issue of *takfeer*.

This principle dictates not allowing the poor situation of the Muslims around the world i.e., Palestine, Kashmir, Bosnia etc. dictate one's position that is held, and to not allow one's hatred for a people i.e. leaders of Muslim countries, make him unjust to them, even though we see from them manifest *dhulm*, *fisq*, and *kufr*.

EVIDENCE FOR PRINCIPLE ONE

The evidences for this principle are many. Of them is the statement of Allaah:

"And if you judge between the people, then judge with justice."

[An-Nisaa' (4):58]

The verse orders fairness, justice, and equality with all people when making judgement between them, and not being just with some people and not with others.

Indeed Allaah ordered his messenger with a straightforward command to be just by His saying:

"...And I have been ordered to be just between you all."

[Ash-Shoora (15):42]

Also Allaah has ordered the believers to be just by His saying:

"..Be just for it is closer to taqwa..." [Al-Maa'idah (5):8]

And Allaah, the Most High also states:

"Verily Allaah orders with justice and the doing of good and kindness to relatives" [An-Nahl (16):90]

Allaah has specifically ordered all the believers to be just in their **speech** by His saying;

"..And if you speak then be just even if it be with your own relatives"
[Al-An'aam (6):152]

Ibn Katheer said in the *tafseer* of this verse: "Allaah orders to be just in actions and sayings with our near ones and our far ones and Allaah orders everyone to be just at all times and in all situations."

So His order to be just in our actions is in His saying:

"Oh you who believe stand out firmly for justice as witnesses to Allaah even if it is against yourselves or your parents, or your kin.."
[An-Nisaa' (4):135]

And Allaah has warned us not to be unjust, ever, in His statement:

"...So do not follow the desires lest you avoid justice..." [An-Nisaa' (4):135]

Ibn Katheer said in the *tafseer* of this verse: "Meaning, do not let the desires and partisanship and hatred of a people cause you to be unjust in your matters and your affairs rather adhere to justness in every situation."

So being just plays an important role when speaking about people, and it is more important when pronouncing *takfeer*.

PRINCIPLE TWO

The issue of *Takfeer* is grave, so one should be cautious in this matter and not rush to pronounce the Muslim leaders as *kaafirs*. The issue of *takfeer* should be taken very seriously and not bear on emotional happenings. There is a great possibility the person being labelled may not deserve it.

EVIDENCE FOR PRINCIPLE TWO

Firstly to show that there is a possibility that a person may show apparent disbelief but really his heart is full of belief, and it would be very dangerous for one to pronounce *takfeer* upon him without establishing what he truly believes first. Allaah says:

"Whoever disbelieved in Allaah after his belief, except him who is forced thereto, whilst his heart is at rest with faith (*imaan*) but such as open their hearts to disbelief - on them is wrath from Allaah and theirs will be a great torment." [An-Nahl (16):106]

The statement of the Messenger of Allaah (sallallaahu alayhi wa sallam):

"He who says to his brother: O disbeliever, then it returns upon one of them."
[Bukhaaree, Muslim and Muwatta Imaam Maalik]

Also his (sallallaahu alayhi wa sallam) saying:

"And he who accuses a believer of *kuf*r then it is like killing him." [Bukhaaree]

Also his (sallallaahu alayhi wa sallam) saying:

".....Except if you see clear open *kuf*r, given to you as evidence from Allaah.." [Muslim, An-Nasaa'ee]

And his (sallallaahu alayhi wa sallam) saying:

"if a man says the people are destroyed, then he has destroyed them..." [Muslim]

Also his (sallallaahu alayhi wa sallam) saying:

"Everything of a Muslim is sacred to a Muslim: his property, honour, and blood.
It is enough evil for a man to despise his Muslim brother."
[Aboo Daawood: 4868]

And his (sallallaahu alayhi wa sallam) saying:

"I warn you of suspicion, for indeed suspicion is the most lying speech."
[Agreed upon]

And his (sallallaahu alayhi wa sallam) saying:

"Whoever accuses a man of *kuf*r, or says enemy of Allaah, and he is not that,
then it returns upon him." [Agreed upon]

And his (sallallaahu alayhi wa sallam) saying:

"If anyone guards a believer from a hypocrite, Allaah will send an angel who will guard his flesh on the day of judgment from the fire of *Jahannam*; but if anyone attacks a Muslim, saying something by which he wishes to disgrace him he will be restrained by Allaah on the bridge over *Jahannam* till he is accounted for what he said." [Aboo Daawood: 4865]

And the saying of Shaykhul-Islam Ibnu Taymiyyah (rahimahullaah):

"I am one of the most severe in forbidding that a person in particular be labelled with disbelief, or sin or disobedience until it is known that the proof has been established upon him...." [Al Fatawa 3/229 and see Al Fatawa 3/282, 283 (a principle with Ahlus-Sunnah)]

PRINCIPLE THREE

*Kuf*r is of two types;

- 1) ***Kuf*r in belief**, that takes one out of the fold of Islam. It is also referred to as major *kuf*r.
- 2) ***Kuf*r in action**, that does not take one out of the fold of Islam on its own except, if after the establishment of the proof, his actions portray manifest denial, rejection, arrogance, etc. It is also referred to as minor *kuf*r.

So this principle necessitates the establishment, of whether the judgement by other than what Allaah has revealed, falls under the type of *kuf*r in belief which is rejection, denial, or making it permissible or even believing that one has a choice in the matter. Or does it fall under the type of *kuf*r in action that does not make

you a *kaafir*. Therefore if the scholars of Islam judge that the *kufr* in a particular instance was *kufr* in action then we would have indeed lied against Allaah if we were to make them unbelievers.

EVIDENCE FOR PRINCIPLE THREE

If *kufr* was not of two types then how would we understand the *hadith* narrated by Abdullah ibn Mas'ood (radiyallaahu anhu) that the Messenger of Allaah (sallallaahu alayhi wa sallam) said:

"Abusing a Muslim is *fisq* (sin) and fighting him is *kufr*." [Agreed upon]

So is this fighting *kufr* in belief or *kufr* in action, bearing in mind that if it is *kufr* in belief, then the person who does this act becomes a disbeliever (*kaafir*)? The answer is clearly that it is *kufr* in action, the minor *kufr* which does not remove one from the fold of Islam, and this is established from Allaah's statement;

"And if two parties from amongst the believers fight then make peace between them, and if one transgresses then fight you all the one which transgresses till it complies with the command of Allaah."

[Al-Hujuraat (49):9]

So we find Allaah describing those Muslims that fight each other as **believers**. Therefore fighting amongst believers is *kufr* in action or minor *kufr* and cannot be *kufr* in belief or major *kufr*. Each and every verse in the Qur'aan and the *hadith* that mentions *kufr* must be verified to find out what type of *kufr* it is. This is a task for the scholars alone and not the common people. Other examples of such cases can be found in the following authentic ahadeeth, where all the examples are of *kufr* in action or minor *kufr*.

"Two things if done are *kufr*, abusing of genealogies and wailing over the dead."
[Saheeh Muslim]

"Arguing over the Qur'aan is *kufr*."

"Speaking about Allaah's favours is giving thanks and leaving that is *kufr*."

"Do not return to being *kaafir* after me by some of you striking the necks of others (fighting)." [Al-Bukhaaree]

"Whoever goes into his women from behind (anus) has indeed done *kufr*."

And also the statement of Allaah:

"Whoever does not judge by what Allaah has revealed such are the disbelievers." [Al-Maa'idah (5):44]

Like this there are many more verses and *ahadeeth*, like the ones mentioned in chapter one that need to be explained by *tafseer* or *hadeeth* using principles of the *Shari'ah* in order to arrive at the correct ruling. A work only befitting for scholars. So this is where many of the Muslims become confused and are lead astray. They try to implement the verses of *Surah Al-Maa'idah* and other texts, as they are, apparently, without applying the principle that the *kufr* mentioned in the text can be one of two types.

PRINCIPLE FOUR

That a Muslim is not pronounced a *kaafir* (disbeliever) except if he **rejects** something known from the religion by necessity, or if he **denies** it out of **arrogance** or **pride**, or if he **opposes** it whilst **not believing in it**.

This principle dictates the following:

A) One who does not judge by what Allaah has revealed out of **rejection** that it is an obligation, then such an individual is a disbeliever (*kaafir*) with major *kufr*.

B) One who does not adhere to judging by what Allaah has revealed out of **arrogance or pride** then such an individual is a disbeliever, with major *kufr*.

C) One who **opposes** judging by what Allaah has revealed whilst not believing in it, **rejecting** it as an obligation then such an individual is a disbeliever, with major *kufr*.

D) One who remains in **doubt** about the obligation of judging by what Allaah has revealed then such an individual is a disbeliever. [Doubt here can be of two types either in its obligation or in its interpretation. What is referred to here is doubt in its obligation.]

However if such an individual **accepts** the obligation to judge by what Allaah has revealed and **believes** that it is most supreme over any other law and system, but he left judging by it for some **weakness** or following of **desires** or **sin** or out of **fear** or **hope** then his original *imaan* does not disappear such an individual is **not** a disbeliever (*kaafir*), with major *kufr*. Rather he is a disbeliever with minor *kufr* and he is still within the fold of Islam.

This is just a brief explanation of what this principle dictates, a further and clearer explanation can be found in chapter four.

EVIDENCE FOR PRINCIPLE FOUR

One of the best evidences in my view, in order to show you principle four in implementation is the following:

Shaykhul-Islaam Ibn Taymiyyah (rahimahullaah) said: "And this was the state of An-Najaashi, (ruler of Habashi). Even though he was the king of the Christians

his people did not follow him in accepting Islam. Rather only a number of them accepted Islam with him, and for this, when he died there was no one to pray over him. So the Prophet (sallallaahu alayhi wa sallam) prayed over him in Medina. He went out with the Muslims to the *musalla* and arranged them in rows and prayed over him and informed them of the death the day he died. He (sallallaahu alayhi wa sallam) said: "Verily a righteous brother of yours from the people of Al-Habashi has died."

And many of the outwardly manifested pillars of Islam or most of them, he did not establish upon his people because of his weakness in that. So he did not do *hijrah*, nor did he fight *jihad*, nor did he perform the hajj. It has even been narrated that he did not even establish his five daily prayers, and he did not fast in Ramadaan, neither did he pay the legislated *Zakaat* (all of these are obligatory actions), because that would have made apparent to his people and they would have disapproved of it opposing him, and it was not possible for him to differ with them. We know definitely that it was not possible for him to judge between his

people with the Qur'aan even though Allaah had made it an obligation upon the Prophet (sallallaahu alayhi wa sallam) in Medina, that if the people of the book came to him, then he should not judge between them except with what Allaah has revealed to him.." [Minhaaj as Sunnah 5/112-113]

From this statement of Shaykhul Islam Ibnu Taymiyyah we can clearly understand that An-Najaashi did not rule by what Allaah had revealed and that if one does not deny, reject, opposes or makes *halaal* what Allaah made *haram* or vice versa, with belief that it is an obligation to judge by what Allaah has revealed then such an individual is a **believer** even if he does not judge by what Allaah has revealed, out of weakness, fear, hope, etc. This is because the Messenger (sallallaahu alayhi wa sallam) said: "...your brother in Habashi has died.." then he prayed over him, which he would not say or do if An-Najashi was a *kaafir*.

We also find in Saheeh Al-Bukhaaree, a narration about Haatib ibn Baltah, where he informed the Quraish to be aware that the Prophet (sallallaahu alayhi wa sallam) was going to attack Mecca. When Allaah gave this information to the Prophet (sallallaahu alayhi wa sallam) he summoned Haatib, and 'Umar (radiyallaahu anhumaa). Umar said: "Let me take off the head of this *munafiq*, O Messenger of Allaah." The messenger refused and asked him (Haatib): "Why did you do this?" He replied: "O Messenger of Allaah, Verily I did not do this out of disbelief (*Kufr*) I believe Allaah is going to aid you. All the companions here have relatives to take care of their families in Mecca but I do not. So I thought by giving them this information they will be lenient towards my family there." So the Messenger (sallallaahu alayhi wa sallam) said: "Leave him for perhaps Allaah has turned to the people who partook in al Badr and said do what you will, I have forgiven you." [Al-Bukhaaree]

So 'Umar (radiyallaahu anhu) believed this action to be hypocrisy, but the Messenger (sallallaahu alayhi wa sallam) asked Haatib "Why did you do this?" He (sallallaahu alayhi wa sallam) established the proof on him first, and then let him be after concluding it was of the lesser *kufr* and not the major *kufr*.

Further evidence is in the saying of Imaam At-Tahaawi (rahimahullaah):

"And the slave is not taken out of the fold of *imaan* except by denying that which entered him into it." [Aqeedatut-Taahawiyyah p-331]

The Shaykh is pointing out a refutation to the Khawaarij and *Mu'tazilah*, where they say a person leaves *imaan* by doing major sins [other than shirk]. And this clearly shows that a mere action alone cannot take one out of the fold of Islam until the proof is established that this action displayed is what the belief of the person is. Just as when one becomes a Muslim the action of the *shahadah* alone is not acceptable until it is clear the person understands and believes what he is entering into.

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